

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE STATIC RANDOM ACCESS
MEMORY (SRAM) ANTITRUST
LITIGATION

Case No. 4:07-md-1819 CW

MDL No. 1819

This Document Relates to:
ALL ACTIONS

**ORDER GRANTING SAMSUNG'S
ADMINISTRATIVE MOTION TO FILE
LENIENCY AGREEMENT UNDER
SEAL FOR *IN CAMERA* REVIEW**

1 At the December 14 Pretrial Conference and by its December 16, 2010 Order on
2 Motions in Limine and For Pre-Trial Preparation (Docket No. 1206), the Court granted defendants
3 Samsung Electronics Co., Ltd. and Samsung Semiconductor, Inc.'s (collectively "Samsung")
4 Motion in Limine No. 2 to exclude at trial any evidence of or reference to Samsung's leniency
5 agreement with the U.S. Department of Justice ("DOJ") in connection with DOJ's investigation of
6 the SRAM industry, or any other evidence of or reference to that investigation. However, the
7 Court ordered Samsung to lodge with the Court for *in camera* review, along with a proposed
8 sealing order, a copy of the January 17, 2006 letter memorializing Samsung's leniency agreement
9 with DOJ (the "leniency agreement"), so that the Court could confirm that the letter does not
10 provide a basis for impeachment of Samsung witnesses at trial. On December 29, 2010, Samsung
11 filed an Administrative Motion to File Leniency Agreement Under Seal For *In Camera* Review
12 (the "Motion"), and lodged the leniency agreement with the Court as Exhibit A to the
13 accompanying Declaration of Michael W. Scarborough.

14 IT IS THEREFORE ORDERED that Samsung's motion is GRANTED as follows:

15 (1) The leniency agreement (Exhibit A to the December 29, 2010, Declaration of
16 Michael W. Scarborough) shall be filed under seal for in camera review by the Court.

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18 IT IS SO ORDERED.

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20 Dated: 1/4/2011

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22 Hon. Claudia Wilken
23 United States District Court Judge
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Submitted by:

MICHAEL W. SCARBOROUGH

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Samsung Electronics Company, Ltd. and

Samsung Semiconductor, Inc.